

REMARKS

Claims 1-20 are pending in the application. Claims 1, 9, and 18 are independent. Claims 1, 5, 8, 9, 13, 16, 18, and 20 have been amended. These changes are believed to introduce no new matter and their entry is respectfully requested.

Objection to the Specification

In paragraph 2 of the Office Action, the Examiner objected to the Specification and requested that Applicants add a "Brief Summary of the Invention" to the Specification. However, Applicants would like to kindly point out that both the M.P.E.P. and 37 C.F.R. §1.73 do not require the presence of a "Summary of the Invention" in a patent application. They merely indicate where in the application the "Summary of the Invention" should be placed if Applicants were to elect to include one. In particular, 37 C.F.R. §1.73 only states that "[a] brief summary of the invention ... should precede the detailed description." 37 CFR § 1.73 does not state "must" or "shall." Accordingly, Applicants have elected not to include a "Summary of the Invention" as this is within the discretion of Applicants. Applicants respectfully request that the Examiner reconsider and remove the objection.

Objection to Claims 5 and 8

In paragraph 3 of the Office Action, the Examiner objected to claims 5 and 8 because of informalities: the acronyms PVT and IC are not identified explicitly in the claims. By the foregoing Amendment, Applicants have amended claims 5 and 8 to accommodate the objection. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the objection.

Rejection of Claims 1-5, 9-13, and 18-20 Under 35 U.S.C. §102(e)

In paragraph 5 of the Office Action, the Examiner rejected claims 1-5, 9-13, and 18-20 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,356,122 B2 to Sevalia et al. (hereinafter "Sevalia"). A claim is anticipated only if each and every element of the claim is found, either expressly or inherently, in a reference. (MPEP §2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987)). The identical invention must be

shown in as complete detail as is contained in the claim. Id. *citing Richardson v. Suzuki Motor Co.*, 868 F.2d 1226,1236 (Fed. Cir. 1989)). Applicants respectfully traverse the rejection.

Independent claims 1 and 9 recites in pertinent part “said first and second delay elements to delay the feedback clock signal, ***to determine whether a rising edge of the delayed feedback clock signal is early or late*** with respect to a falling edge of the feedback clock signal, and ***to increase or decrease the delay*** of the feedback clock signal ***based on whether the rising edge of the delayed feedback clock signal is early or late*** with respect to the falling edge of the feedback clock signal” (emphasis added). Independent claim 18 recites in pertinent part “said delay ***phase-aligning a falling edge of the feedback clock signal to a rising edge of the delayed feedback clock signal***” (emphasis added). Support for these changes according to one embodiment can be found in Applicants’ Specification at page 9, first full paragraph, and Figure 6.

Applicants respectfully submit that Sevalia fails to show the identical invention as that of the claimed invention. For example, Sevalia fails to teach “delay elements to determine whether a rising edge of the delayed feedback clock signal is early or late with respect to a falling edge of the feedback clock signal, and to increase or decrease the delay of the feedback clock signal based on whether the rising edge of the delayed feedback clock signal is early or late with respect to the falling edge of the feedback clock signal” as recited in claims 1 and 9. Sevalia also fails to teach “phase-aligning the falling edge of the feedback clock signal to a rising edge of the delayed feedback clock signal” as recited in claim 18. Because Sevalia fails to teach each and every element of the claimed invention, Applicantw respectfully submit that claims 1, 9, and 18 are patentable over Sevalia. Claims 2-5, 10-13, and 19-20 properly depend from patentable claims, and as a result are patentable over Sevalia as well. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the rejection to claims 1-5, 9-13, and 18-20.

Rejection of Claims 6 and 14 Under 35 U.S.C. §103(a)

In paragraph 14 of the Office Action, the Examiner rejected claims 6 and 14 under 35 U.S.C. §103(a) as being unpatentable over Sevalia in view of U.S. Patent No. 5,818,270 to Hamza (hereinafter “Hamza”). Applicants respectfully traverse the rejection.

Applicants respectfully submit that claims 6 and 14 properly depend from patentable claims 1 and 9, respectively, and are therefore patentable as well. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the rejection to claims 6 and 14.

Rejection of Claims 7-8 and 15 Under 35 U.S.C. §103(a)

In paragraph 18 of the Office Action, the Examiner rejected claims 7-8 and 15 under 35 U.S.C. §103(a) as being unpatentable over Sevalia as applied to claim 1 and in further view of U.S. Patent No. 5,977,837 to Byrn (hereinafter “Byrn”). Applicants respectfully traverse the rejection.

Applicants respectfully submit that claims 7-8 properly depend from patentable claim 1 and are therefore patentable as well. Applicants respectfully submit that claim 15 properly depends from patentable claim 9 and is therefore patentable as well. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the rejection to claims 7-8 and 15.

Rejection of Claims 16-17 Under 35 U.S.C. §103(a)

In paragraph 23 of the Office Action, the Examiner rejected claims 16-17 under 35 U.S.C. §103(a) as being unpatentable over Sevalia as applied to claim 1 and in further view of U.S. Patent No. 5,742,798 to Goldrain (hereinafter “Goldrain”). Applicants respectfully traverse the rejection.

Applicants respectfully submit that claims 16-17 properly depend from patentable claim 9 and are therefore patentable as well. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the rejection to claims 16-17.

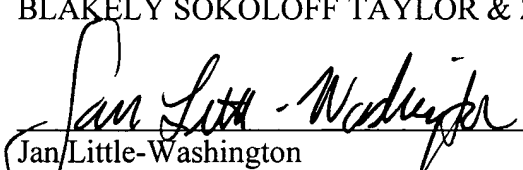
CONCLUSION

Applicants submit that all grounds for rejection have been properly traversed or accommodated and that the application is now in condition for allowance. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

Respectfully submitted,

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Date: Oct 15, 2004


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